

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 05-00681 JF
	)	
Plaintiff,	)	STIPULATION AND <del>[PROPOSEE]</del>
	)	ORDER CONTINUING CASE AND
v.	)	EXCLUDING TIME UNDER THE
	)	SPEEDY TRIAL ACT, 18 U.S.C. § 3161
	)	
FELIX LEYVA-ANAYA,	)	
a/k/a Felix Leyva,	)	
	)	
Defendant.	)	
	)	

This matter was set for Wednesday, February 28, 2007 for setting or disposition. Plaintiff United States of America, by and through Assistant United States Attorney Matthew A. Lamberti, and defendant Felix Leyva-Anaya, by and through his counsel Mary E. Conn, hereby AGREE AND STIPULATE that this matter be continued from February 28, 2007 at 9:00 a.m. to March 28, 2007 at 9:00 a.m.

The parties also AGREE AND STIPULATE that the period of time from February 28, 2007 through and including March 28, 2007, shall be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.* because the defendant needs additional time for effective preparation and investigation.

DATED: 2/27/07

SCOTT N. SCHOOLS  
United States Attorney

/S/

MATTHEW A. LAMBERTI  
Assistant United States Attorney

/S/

DATED: 2/27/07

MARY E. CONN  
Counsel for the Defendant

~~{PROPOSED}~~ ORDER

Based upon the foregoing, and good cause appearing therefor, the Court finds pursuant to Title 18, United States Code, Section 3161(h)(8)(A), considering the factors set forth in Section 3161(h)(8)(B), that the interests of justice in granting this continuance outweigh the defendant's and the public's interests in a speedy trial inasmuch as the defendant needs additional time for effective preparation and investigation.

IT IS HEREBY ORDERED THAT this matter be continued from February 28, 2007 at 9:00 a.m. to March 28, 2007 at 9:00 a.m.

IT IS FURTHER ORDERED that the period of time from February 28, 2007 through and including March 28, 2007 be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

IT IS SO ORDERED.

DATED: 3/2/07

  
\_\_\_\_\_  
HON. JEREMY FOGEL  
United States District Judge

Copies to be served on:

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